IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

A. O. NO. 127 OF 2001

Shambhunath Sharma ..... Appellant
VS.
Municipal Corporation of Greater
Bombay and ors... ... Respondents

Mr. M. B. Gawde h/for Y.E. Moomani for appellant.
Mr. Priyal G. Sarela, h/ for P.N. Pathak for respondent no.1.
Ms. Geeta Joglekar for BMC.

CORAM: D. G. KARNIK **J.**

DATE: 20th November 2006

P.C.:

1. Heard learned counsel for the parties. By the interim order dated 23rd July 2001 passed at the time of the admission of this appeal this court directed that the respondent shall not take any coercive action under section 351 of the Bombay Municipal Corporation Act, till the disposal of the appeal.

2. Learned counsel for the appellant submits that the hearing of the suit has commenced and appellant's evidence is over. The parties therefore agree that the interim order passed by

this court may be continued till the disposal of the suit. Accordingly I pass the following order:

3. Hearing of the suit is expedited. In the meanwhile interim order passed by this court dated July 23,2001 shall continue till the disposal of the suit. Appeal is disposed of accordingly.

(D.G. KARNIK J.)

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Civil application No. 142 of 2001
in
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Shambhunath Sharma ..... Appellant
VS.
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Bombay and ors... ... Respondents

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In view of the disposal of the appeal this civil application does not survive and is disposed of.

(D.G. KARNIK J.)